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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/113,503 07/10/98 FADAVI-AREDKANI J 2925-0119P

002292 LM02/0719  
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EXAMINER

WONG, A

ART UNIT

PAPER NUMBER

2735

DATE MAILED:

07/19/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/113,503

Applicant(s)  
Fadiv-Arkekan

Examiner  
Albert Wong

Group Art Unit  
2735



☒ Responsive to communication(s) filed on Jul 10, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The Office action is in response to the application filed July 10, 1998.
2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 20, is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 20, the method recites a method of using a joystick interface. Claim 20, however, recites step for building the interface. Thus, it is not clear how this step is related to the above steps.

4. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

5. Applicant is advised that should claim 14 be found allowable, claim 15 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

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6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

7. Claims 1-7, 9-12, and 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu.

Regarding claim 1, the buffer circuit is shown as items 51 and the pulse generator is shown as item 52.

Regarding claim 2, control signal 69 determines if the pulse generator generates a pulse. In CMOS circuits, no power is dissipated if there is not switching. Thus, if the pulse generator is disabled, no power would be dissipated.

Regarding claim 3, the charge storage device is the capacitor C1. The discharged state is determined by the trigger signal which creates a second mode of operation.

Regarding claim 4, in the first mode of operation the capacitor C1 is permitted to charge.

Regarding claim 5, as stated above the processor determines when a pulse is generated by an input signal into the circuit which causes the first and the second modes. In the discharge mode, no pulse is generated.

Regarding claim 6, the pulse generator is a flip-flip which is also known as a latch.

Regarding claim 7, input 69 clears the latch which is then reset to store a logic "1".

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Regarding claim 9, the interface has been shown in the rejection of claim 1; the joystick device is shown as the circuitry around the Game Port. Also, see fig. 2.

Regarding claims 10-12, see rejections 2,3, and 7 which addresses these limitations.

Regarding claim 14-19, these claims recites the method of using the joystick interface. Since it has been shown that the interface has been anticipated, the method of operating the joystick in its intended manner would be inherent in the teaching.

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 8, 13, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu.

Regarding claims 8 and 13, the selection of a particular capacitor is determined by the desired RC characteristic of the circuit and the desired threshold. In the Summary of the Invention, it is stated that one of the desired objective is the reduction of the voltage of the input signal. Thus, the selection of a capacitor for a voltage below the conventional 5 Volts is suggested.

Regarding claim 20, since the interface has been shown to be obvious, the method of using the interface in its intended manner would also have been obvious.

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10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Form Pto 896. A complete response to this Office action should include a discussion of the cited references.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wong whose telephone number is 703-305-8884. The examiner can normally be reached on Monday-Thursday from 8:30-6:00.

If attempts to reach the examiner by phone are unsuccessful, the examiners supervisor Mike Horabik can be reached on 703-305-4704.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703-305-8576.

12. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

703-308-9051, (for formal communications intended for entry)

**Or:**

703-305-3988 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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**ALBERT K. WONG  
PATENT EXAMINER**

*AW*

ALBERT K. WONG  
July 6, 2000

**MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
GROUP 2700**

*Michael Horabik*